

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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|---------------------------------|---|----------------------------------|
| UNITED STATES OF AMERICA | : | CRIMINAL NO. 1:11-CR-0242 |
| | : | |
| v. | : | (Judge Conner) |
| | : | |
| ABRAHAM CRUZ | : | |

ORDER

AND NOW, this 12th day of March, 2012, upon consideration of the motion to acquit or dismiss (Doc. 37), filed *pro se* by defendant Abraham Cruz, and it appearing that defendant is represented by counsel, Heidi R. Freese, Esquire, but filed the instant motion without assistance therefrom, see United States v. D’Amario, 268 F. App’x 179, 180 (3d Cir. 2008) (“The Constitution does not confer a right to proceed simultaneously by counsel and *pro se*”); see also United States v. Vampire Nation, 451 F.3d 189, 206 n.17 (3d Cir. 2006), it is hereby ORDERED that the motion (Doc. 37) to acquit or dismiss is DENIED without prejudice to defendant’s right to file motions seeking similar relief with the assistance of counsel.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge